

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LINDA ANN BEEN

Defendant.

Case No. 21-CR-493-GKF-3

Motion of the United States for a Final Order of Forfeiture

The United States of America, by undersigned counsel, requests the entry of a Final Order of Forfeiture for the reasons set forth below.

On July 14, 2022, Defendant Linda Ann Been pled guilty to Counts One through Two Hundred Fourteen of the Indictment (Dkt. # 2). Dkt. # 355. Pursuant to the Indictment, the United States provided notice to Been that, upon conviction and pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a) and 28 U.S.C. § 2461, she would forfeit to the United States any property constituting, or derived from, or traceable to, the proceeds obtained, directly or indirectly, as a result of such violations, and any property, real or personal, that was used or intended to be used to commit or to facilitate the violations of federal law.

On November 15, 2023, based upon Been's guilty plea, petition to enter plea of guilty, the record, and the nexus between the property listed below and the conspiracy, wire fraud, and money laundering offenses to which the defendant has

pled guilty, the Forfeiture Money Judgment and Preliminary Order of Forfeiture was granted by the Court (Dkt. # 622). In the Order, the Court entered a \$4,546,481 forfeiture money judgment against Been, and preliminarily forfeited the following property:

CURRENCY

1. \$5,401.72 in funds seized from Tulsa Teachers Credit Union Member Number xxxx52 (S14) account.

REAL PROPERTY

2. All that lot and parcel of land, together with all buildings, appurtenances, improvements, fixtures, attachments and easements thereon, and all rights appertaining thereto, located at 1098 County Road 1577, Osage, Oklahoma, more particularly described by the Osage County Assessor's Office as:

35-21-9, BEG at NW/C NE SW-E 740.89' to W R/W LN CO RD 1575-S 24 52 47 W 641.36'-W 462.67' to E LN E/2 SW-N 574.69' to POB, Subdivision 35-21-09 Rural, Osage County, Oklahoma.

On October 18, 2022, a *Lis Pendens* was filed in Osage County, Oklahoma (Doc. # 1-2022-008607).

In accordance with Fed. R. Crim. P. 32.2(b)(6)(C) and Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States posted notice of the forfeiture and the requirements for filing a claim on the official government internet site (www.foreiture.gov) for thirty (30) days beginning on November 17, 2023 through December 16, 2023. Proof of Publication was filed on April 15, 2024 (Dkt. # 689). Pursuant to 21 U.S.C. § 853(n), any person

asserting a legal interest in the currency and real property subject to forfeiture was required, within thirty (30) days of the final publication of notice, or of receipt of actual notice, whichever is earlier, to petition the Court for a hearing to adjudicate the validity of an alleged interest in the currency and real property. No petitions, contested or otherwise, have been filed claiming an interest in the currency and real property.

On November 16, 2023, a copy of the Forfeiture Money Judgment and Preliminary Order of Forfeiture was sent via U.S. Mail to care of defendant's attorney, Marna Swanda Franklin.

On November 16, 2023, a copy of the Forfeiture Money Judgment and Preliminary Order of Forfeiture was sent via U.S. Mail to adjacent property holders Mr. Randall J. Hendricks and Ms. Deneen Gambrell.

On November 16, 2023, a copy of the Forfeiture Money Judgment and Preliminary Order of Forfeiture was sent via U.S. Mail to Osage County Assessor Ed Quinton.

On November 28, 2023, the Forfeiture Money Judgment and Preliminary Order of Forfeiture was posted at the real property by the United States Marshals Service.

No claims were filed within the thirty-day period, any other interests are barred by failure to file a timely claim. Although no claim from the Osage County Assessor has been received, any property taxes due and owing, if any, will be paid from the net sale proceeds of the real property.

The United States respectfully requests that the Court enter a Final Order of Forfeiture of the currency and real property, and vesting full right, title, and interest in the currency and real property in the United States.

Respectfully submitted,

CLINTON J. JOHNSON
UNITED STATES ATTORNEY

/s/ Reagan V. Reininger

REAGAN V. REININGER, OBA #22326

Assistant United States Attorney

110 West 7th Street, Suite 300

Tulsa, Oklahoma 74119

Telephone: 918.382.2700

Email: reagan.reininger@usdoj.gov

Certificate of Service

I hereby certify that on May 21, 2024, the foregoing document was electronically transmitted to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to counsel of record.

/s/ Mari-Jean Ogle

MARI-JEAN OGLE, Paralegal